

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

**May 5, 1999
Sacramento, California**

The meeting of the California Transportation Commission was called to order on May 5, 1999 at 8:35 a.m. at the Secretary of State Building Auditorium, 1500 11th Street, Sacramento, California.

The Commissioners' attendance was as follows:

Members Present: Edward Sylvester, Chairman
 Jeremiah Hallisey
 James Kellogg
 Roger Kozberg
 Dana Reed
 Esteban Torres
 Robert Wolf

Members Absent: Senator Betty Karnette, Ex-Officio
 Assemblyman Tom Torlakson, Ex-Officio

1. GENERAL MATTERS

1.(1) Approval of Minutes for March 29-30, 1999 Meeting

The minutes were presented for approval. Commissioner Reed moved to approve the minutes. Commissioner Kozberg seconded the motion which carried 7-0.

1.(2) Commissioners' Meetings for Compensation

The List of Commissioners' Meetings for Compensation was presented for approval. Commissioner Reed moved to approve the List. Commissioner Kozberg seconded the motion which carried 7-0.

1.(3) Consent Calendar

Deputy Director Chung reviewed the changes to the Consent Calendar and recommended approval of the Consent Calendar. The changes were as follows:

- Item 2.4b Resolutions of Necessity #C-17743, C-17747, C-17747 and C-17760 were withdrawn by the Department prior to the meeting because a settlement had been reached.
- Item 2.4b Resolutions of Necessity #C-17778, C-17779, C-17780, and C-17781 were withdrawn by the Department prior to the meeting because the property owners had requested an appearance.
- Item 2.4d Director's Deed #1 selling price was corrected to \$148,230 which resulted in the total amount returned to the State changing to \$1,427,741.
- Item 2.5a Project #4 was withdrawn by the Department prior to the meeting which resulted in a total of 9 minor projects totaling \$2,586,000.
- Item 2.5b(5) Toll Project for the San Diego Coronado Toll Bridge was withdrawn by the Department prior to the meeting because the allocation of funds was not within the Commission's jurisdiction.
- Item 2.5c(4) EEM project book item resolution revised to include a change in applicant/recipient status from the U.S. Fish and Wildlife Service to the California Department of Parks and Recreation.

The following individuals submitted "green cards" and were given time to present testimony to the Commission:

Richard Silver, Rail Passenger Association of California, discussed Item 2.5c(2)#4,5,6 and 7 and requested that the items be held over. Association of California, discussed Item 2.5c(2)#4,5,6 and 7 and requested that the items be held over. Carter Mau of the Peninsula Commute Joint Powers Board (JPB) discussed the status of the JPB's projects within their adopted strategic plan and asked that the Commission allocate the funds. The item was left on the Consent Calendar

Arnold Ramming, City of Bakersfield, spoke in support of Item 2.6d and gave an update on the project.

Stephen Maller, Caltrans, summarized the items on the Potential Consent Calendar which consisted of Items 2.6e(3 and 4), 2.1c, 2.6a and 2.5b(3). Deputy Director Chung explained that the proposed funding shift was based upon the Commission's direction to eliminate the \$4 million shortfall in the FY 1997-98 TCI program.

Debbie Hale, Santa Cruz County RTC, requested a time extension of funds for the Santa Cruz guideway project (Item 2.1c). Executive Director Remen discussed the effect this action would have. Chairman Sylvester requested that Item 2.1c be pulled from the Potential Consent Calendar for a separate vote.

Commissioner Wolf moved to add the Potential Consent Calendar Items (except Item 2.1c) to the Consent Calendar and approve the Consent Calendar as amended. Commissioner Reed seconded the motion which carried 7-0.

After discussion, Commissioner Wolf noted that he was not in favor of the time extension and moved to approve Item 2.1c. Commissioner Reed seconded the motion which carried 7-0.

1.(4) Commission Reports

Chairman Sylvester welcomed the newly appointed members of the Commission: Commissioner Esteban Torres and Commissioner Jerry Hallisey.

Chairman Sylvester reported on the public transportation systems in Chile.

Commissioner Reed reported on his meeting with the Ventura County Transportation Commission and other local agency representatives and the problem with the Bridge over the Santa Clara River. The Commission asked Caltrans to provide at the June meeting a status report on the Ventura Route 101 Bridge over the Santa Clara River.

ACTION: J. Nicholas

Commissioner Kozberg reported on his meeting with Assembly Speaker Villaraigosa and Senator Polanco's staff concerning the Route 110 widening project.

Commissioner Kellogg reported on his attendance at a public forum meeting with transportation officials in Contra Costa County.

Chairman Sylvester noted that former Vice Chairman David Fleming's term had expired and asked for nominations for Vice Chairman. Commissioner Kozberg nominated Commissioner Reed as Vice Chairman. Commissioner Wolf seconded the nomination. Commissioner Kellogg moved to close the nominations and elect Commissioner Reed as Vice Chairman. Commissioner Kozberg seconded the motion which carried 7-0.

1.(5) Business, Transportation and Housing Agency Report

Sarah Catz, Business, Transportation, and Housing Agency, introduced herself and discussed the report from the Commission on Infrastructure and coordination with the SR 8 effort. She also noted that the ITIP would be presented in June.

1.(6) Caltrans Report

Caltrans Director Jose Medina discussed support for accelerated median barriers on Route 101, faulty drains and pumps on Route 105, and the Caltrans Memorial Plaque.

1.(7) Regional Agencies

Regional Agencies Moderator Therese McMillan reported on the issues discussed at the Regional Agencies' meeting.

2. PROJECT BUSINESS MATTERS

2.1 Program Amendments/Project Approvals

2.1a. STIP Amendments for Action

- STIP Amendment 98S-28 - Action
Revises the funding for the Folsom Boulevard Interchange project in Sacramento County to include \$2,816,000 in demonstration funds and reduces the overall cost of the project based on revised PS&E estimates, thus reducing the overall Interregional Improvement Program (IIP) funding for this project by \$3,079,000. In addition, reprograms \$1,005,000 of a \$24,240,000 High Occupancy Vehicle (HOV) Lane project on Route 50 in El Dorado County programmed in FY 2000-2001 to a HOV Lane project on Route 50 in Sacramento County to be programmed in FY 1998-99, which will be combined with the Folsom Boulevard Interchange project for construction. The City of Folsom and El Dorado County Transportation Commission (EDCTC) are requesting this amendment.

This item was approved on the Consent Calendar.

2.1b. STIP Amendments for Notice

- 2.1b.(1) STIP Amendment 98S-31 - Notice**
Revises programmed year for various STIP projects to avoid loss of funds for projects with components programmed in Fiscal Year 1998-99.

Executive Director Remen discussed the provisions of SB 45 which allow the Commission to grant one-time-only extensions for STIP projects that are not ready to go in the year programmed. He noted concern about undercutting the intent of SB 45, and noted that the Commission lacked sufficient information to make judgments on the extension requests.

Commissioner Wolf reminded the Commission that it programmed aggressively in 1998, and suggested that the Commission for this year only be liberal in granting extensions, as everybody sorted out how SB 45 was supposed to work.

Regional Agencies Moderator Therese McMillan noted that the regions had discussed this issue extensively at their monthly meeting, noting the lack of timely and accurate reports on project status. The regions would support Commissioner Wolf's suggestion, depending on how tightly the line might be drawn, and would continue to work to improve data bases and develop tighter guidelines. Basically the regions viewed the first year as a learning experience, and recommended that the Commission accept these first year amendments and improve information and communication, and develop tighter guidelines for next year.

Wayne Lewis, Caltrans, noted that because of volume only Fiscal Year 1998/99 projects were included in this amendment, and Caltrans would bring forward Fiscal Year 1999/2000 and later projects in another amendment next month.

The following individuals submitted green cards and provided testimony on this issue to the Commission:

- Mark Thornton, Tuolumne County Board of Supervisors, regarding the YARTS project;
- John Stokes, Shasta County RTPA, regarding individual components within projects;
- Jeanne Aceto, citizen from Madera County, regarding YARTS;
- Louis Aceto, citizen from Madera County, regarding YARTS.

Commissioner Wolf moved that Caltrans, in consultation with Commission staff, ask project sponsors why their projects were being delayed and why their projects could be accomplished on the new schedules, with answers at least one week prior to the June meeting for review by a committee of Chairman Sylvester, Vice Chairman Reed, and Commissioner Kellogg. Commissioner Kozberg seconded the motion which carried 7-0.

ACTION: J. Nicholas/D. Brewer

**2.1b.(2) STIP Amendment 98S-33 - Notice
Deletes the Hatton Canyon project in Monterey County and moves the funds to the Prunedale Bypass. The Transportation Agency for Monterey County (TAMC) is requesting this amendment.**

Wayne Lewis, Caltrans, reviewed the proposed STIP amendment. Executive Director Remen discussed the funding history of the project.

The following individuals submitted green cards and provided testimony on this issue to the Commission:

- Judy Pennycook, TAMC Chair
- Dave Potter, Monterey County Board of Supervisors
- Carol Lacey, 101 Bypass Committee

Executive Director Remen noted the receipt of a letter of opposition to this proposal from Christine Gianascol of Noland, Hamerly, Etienne & Hoss representing Citizens for Hatton Canyon.

**2.1b.(3) STIP Amendment 98S-35 - Notice
Revises program year for eleven TEA projects to avoid loss of funds programmed in FY 1998-99**

Marsha Mason, Caltrans, reviewed eleven TEA projects and the reasons they needed extensions, particularly focusing on four that would be rescheduled into year 2000, and recommended the extensions be approved. Chief Deputy Director Pete Hathaway noted that Commission staff supported the Department's recommendation.

The following individuals submitted green cards and provided testimony about particular projects to the Commission:

- Kat McConnell, Cambria Community Services District
- Dean Delgado, OCTA
- Ken Topping, Cambria Community Services District
- Dan Herron, SLOCOG

The Commission asked regional agencies, in cooperation with Caltrans, to define and track delivery milestones for the four projects being rescheduled into 2000, and commit to substitute alternative projects if the projects were to fall behind schedule, by the June meeting, and then asked that the same commitment be extended to all other TEA projects currently scheduled for delivery January 2000 or later, to ensure timely use of TEA funds before they expire in September 2000.

ACTION: M. Mason

2.1c. TCI Amendment for Notice/Action

- TCI Amendment 98S-34 - Action
Exchanges \$667,856 in FY 1996-97 TCI Program funds for the County of Imperial's Valley Plaza Shopping Center project (\$45,000); the San Diego's Metropolitan Transit Development Board's East Line Bridge Replacement project (\$250,000); the Golden Gate Highway, Bridge and Transportation District's Larkspur Ferry Intermodal Expansion project (\$52,856); and the Santa Cruz Metropolitan Transit District's Fixed Guideway project programmed for \$320,000, for \$667,856 in FY 1997-98 TCI Program funds for the Los Angeles County Metropolitan Transportation Authority's Newhall Intermodal Transportation Center programmed for \$1,462,000; the balance of \$794,144 for the Newhall project will remain in the FY 1997-98 TCI Program. This exchange between fiscal years prevents the loss of FY 1996-97 TCI Program funds that will revert, if not encumbered, June 30, 1999. (See related action Items 2.6a., 2.6e. and 2.6g.)

Refer to Item 1.3 for proceedings related to this item.

2.1d. Proposition 116 - Non-Urban County Project Approvals/Amendments

Project Approval Amendment for the County of Del Norte to reduce the number of pedestrian projects to be funded from Proposition 116 Non Urban County Program funds from seven to three. One project is no longer viable, two projects have been done using local funds, and one project will be completed as part of a street project. Two of the remaining three Proposition 116 projects have been completed. The funds previously authorized for the four deleted projects will be used to expand the scope of the remaining third project. (Concurrent Allocation under Item 2.6b.(3).)

PA-99-08 Amending Resolution PA-93-08

This item was approved on the Consent Calendar.

2.1e. Proposition 116 - Rail Project Approvals/Amendments

Project Approval Amendment to transfer applicant status from Los Angeles County Metropolitan Transportation Authority (LACMTA) to Ventura County Transportation Commission (VCTC) for costs savings from Acquisition of Southern Pacific Right-of-Way and Moorpark Station for the Los Angeles/Ventura County Commuter/Intercity Rail Project to Camarillo Metrolink Station Improvements Project. (Concurrent Allocation under Item 2.6b.(1).)
Resolution PA-99-09 Amending Resolution PA-90-06

This item was approved on the Consent Calendar.

2.1f. Proposition 116 - Competitive Bike Project Approval/Amendments

Project Approval Amendment to reduce the amount programmed for the County of Riverside's Token Operated Bike Locker Network Project for \$155,000, by \$20,345 in cost savings, for a revised total of \$134,655, and the City of Chico's Competitive Bikeways Projects for \$572,000, by \$22,000 in cost savings, for a revised total of \$550,000, for a total cost savings of \$42,345. A portion of the cost savings is proposed to fund the Oakland Embarcadero Bay Trail Project (\$35,000) programmed under 98S-22 (March 1999). The remaining balance (\$7,345) will be reprogrammed at a later date. (Concurrent Allocation Amendment under Item 2.6e.(2) and Allocations under Items 2.5c.(2) and 2.6b.(4).)
PA-99-10 Amending Resolutions PA-95-01 and PA-96-22

This item was approved on the Consent Calendar.

2.2 Environmental Matters**2.2a. Comments on Document in Circulation (Draft Supplemental EIR)****2.2a.(1) Route 1 in San Mateo County - Bypass the geologically unstable area at Devil's Slide.**

Chief Deputy Director Pete Hathaway reviewed the Draft Supplemental EIR, noting that project costs were up 100% and Congress had provided additional emergency fund authority via TEA-21 to cover the increased cost. He reviewed the impacts of the project and recommended that no comments be sent at this time. The Commission agreed.

2.2a.(2) Route 125 in San Diego County - Construct an ultimate 8-lane freeway between Route 905 and Route 54. Initially the facility will be operated as a tollway.

Chief Deputy Director Pete Hathaway reviewed the Draft Supplemental EIR and recommended that no comments be sent at this time. The Commission agreed.

2.2b. Approval of Project for Future Consideration of Funding (Negative Declaration)**2.2b.(1) Route 1 in Mendocino County - Replace the Noyo River Bridge in the City of Fort Bragg.
Resolution E-99-13**

Jim Nicholas, Caltrans, summarized the negative declaration and noted that the project was programmed in the SHOPP and also qualified for seismic retrofit funding.

Vince Taylor, private citizen from Fort Bragg, submitted a green card and testified in opposition to Commission approval of the project.

After discussion, Commissioner Reed moved to approve the project for future consideration of funding. Commissioner Kellogg seconded the motion which carried 6-0 (Commissioner Wolf was absent).

**2.2b.(2) Route 178 in Kern County - Improve safety and operations at the mouth of the Kern River Canyon, 14 miles east of Bakersfield.
Resolution E-99-14**

This item was approved on the Consent Calendar.

2.2c. Notice of Preparation of an Environmental Impact Report (EIR)**Route 49 in Amador County - Improve and realign the highway in the vicinity of Sutter Creek and Amador City.**

Chief Deputy Director Pete Hathaway reviewed the project and project impacts. He recommended that no comments be sent at this time. The Commission agreed.

2.3 Highway Route Matters**2.3a. Route Adoptions**

No Items This Month

2.3b. New Public Road Connections

No Items This Month

2.3c. Three Relinquishment Resolutions

**08-Riv-215-27.8/32.6 Route 215 in the City of Perris.
Resolution R-3397**

**11-SD-76-R5.0/R6.3 Route 76 in the City of Oceanside.
Resolution R-3398**

**12-Ora-5-KP 69.4 Route 5 in the City of Buena Park.
Resolution R-3399**

This item was approved on the Consent Calendar.

2.3d. Vacation Resolutions

No Items This Month

2.4 Highway Right of Way Matters**2.4a. Resolutions of Necessity - Appearances**

No Items This Month

**2.4b. 42 Resolutions of Necessity
C-17733 through C-17742
C-17744 through C-16646
C-17748
C-17750 through C-17759
C-17761 through C-17777**

This item was approved on the Consent Calendar.

2.4c. Airspace Lease Direct Negotiation

No Items This Month

**2.4d. Director's Deeds
Items #1 Through 12
Excess Lands - Return to State: \$1,427,741**

This item was approved on the Consent Calendar.

2.5 Highway Financial Matters**2.5a. Financial Vote for Nine Minor Projects totaling \$2,586,000
plus \$75,000 from other Sources
Resolution FP-98-71**

This item was approved on the Consent Calendar.

**2.5b. Financial Vote for STIP/TEA/SHOPP/TOLL Projects on the State Highway
System.****2.5b.(1) Five STIP Projects totaling \$14,447,000 plus
\$2,816,000 from other sources.
Resolution FP-98-72**

This item was approved on the Consent Calendar.

**2.5b.(2) Fifteen SHOPP Projects totaling \$32,748,000.
Resolution FP-98-73**

This item was approved on the Consent Calendar.

**2.5b.(3) Four SHOPP Projects Amended into the SHOPP
by Department Action totaling \$14,967,000.
Resolution FP-98-74**

This item was approved on the Consent Calendar.

**2.5b.(4) One SHOPP Project on Route 105 (Century Freeway)
for \$7,600,000.
Resolution FP-98-81**

Jim Nicholas, Caltrans, reviewed the project and recommended approval.

Vice Chairman Reed moved to approve Resolution FP-98-81. Commissioner Kozberg seconded the motion which carried 7-0.

**2.5b.(5) One Toll Project on Route 75 in San Diego County
(San Diego Coronado Toll Bridge) for \$5,661,000.
Resolution FP-98-75**

This item was withdrawn by the Department prior to the meeting.

2.5c. Financial Vote for STIP/TEA/EEM Projects off the State Highway System

**2.5c.(1) Four Local Assistance STIP Projects totaling \$29,188,000
plus \$590,268,951 from other sources.
Resolution FP-98-76**

This item was approved on the Consent Calendar.

**2.5c.(2) Ten Local Assistance TEA Projects totaling \$4,185,000
plus \$6,144,000 from other sources.
Resolution FP-98-77**

This item was approved on the Consent Calendar.

**2.5c.(3) Seven Local Assistance EEM Projects totaling \$1,444,968 plus
\$930,620 from other sources.
Resolution FP-98-78**

This item was approved on the Consent Calendar.

- 2.5c.(4) One Local Assistance EEM Project for \$250,000 plus \$650,000 from other sources.
Resolution FP-98-79**

This item was approved on the Consent Calendar.

- 2.5d. Financial Vote for Projects with Cost Increases Greater than 120 Percent of Program Amount. One Project for \$2,869,000.
Resolution FP-98-80**

07-LA-30,210 - STIP Project in Los Angeles County on Routes 30 and 210. Construct soundwalls. Current programmed value of \$1,456,000 and current estimate of \$2,869,000, for a 97 percent increase over programmed amount.

Jim Nicholas, Caltrans, described the project and the cost increase and discussed options for approving or delaying approval of the project funding.

After discussion, Vice Chairman Reed moved to approve the cost increase. Commissioner Wolf seconded the motion which carried 7-0.

- 2.5e. Financial Vote for Supplemental Funds for Previously Voted Projects
Four Projects totaling \$3,284,000.
Resolution FA-98-08**

07-LA-101 - STIP Project in Los Angeles County on Route 101. Original vote \$13,500,000. Awarded for \$9,416,000. Current allocation \$10,556,777. This request of \$376,000 is for claims settlement, for a grand total of \$10,932,777. 16 Percent increase over award.

08-SBd-10 - TSM Project in San Bernardino County on Route 10. Original vote \$2,010,000. Current allocation \$2,409,000. This request of \$84,000 is for claims settlement, for a grand total of \$2,493,000. 24 Percent increase over vote.

10-SJ-5 - SHOPP Project in San Joaquin County on Route 5. Original vote \$11,900,000. Current allocation \$11,900,000. This request of \$2,515,000 is to allow award, for a grand total of \$14,415,000. 21 Percent increase over vote.

11-SD-L5530 - SHOPP/TSM Project in San Diego County. Original vote \$11,753,000. Current allocation \$12,576,900. This request of \$1,407,000 is for claims settlement, for a grand total of \$13,983,900. 12 Percent increase over vote.

Jim Nicholas, Caltrans, reviewed each of the projects and the need for supplemental funds. He recommended approval of all except 07-LA-101 and recommended that the Los Angeles project be presented in June. The Commission accepted his recommendation and asked him to determine if LACMTA has any standing to approve supplemental votes on programmed projects prior to rescheduling the project for the June meeting.

ACTION: J. Nicholas

Vice Chairman Reed moved to approve the supplemental funding for the remaining projects.
Commissioner Kozberg seconded the motion which carried 7-0.

2.5f. Emergency Allocations

**2.5f.(1) Informational Report - Emergency G-11 Allocations
Six Projects totaling \$2,425,000. Plus Four Additional
Emergency Projects Totaling \$3,240,000 Approved by the
Department After the Preparation of the May 1999 Meeting
Material For a Total of Ten emergency Projects
Totaling \$5,665,000.**

**2.5f.(2) Informational Report - Phase II Seismic Retrofit G-11 Allocations
One Project for \$480,000**

Jim Nicholas, Caltrans reviewed the emergency allocations in 2.5f(1 and 2).

**2.5g. Six SHOPP Rehabilitation Projects Allocated by the Department under
Resolution G-99-10 totaling \$18,108,000.**

Jim Nicholas, Caltrans, reviewed the allocations made by Department for six SHOPP projects pursuant to its delegated authority.

**2.5h. Amend Resolution FP-98-30, originally approved October 27, 1998. Transfer
applicant status for the Fruitvale Bay Area Rapid Transit (BART) Parking
Structure Project from the City of Oakland to the BART District.**

This item was approved on the Consent Calendar.

2.6 Mass Transportation Financial Matters

**2.6a. Financial Vote for One Transit Capital Improvement (TCI) Program Project for
Los Angeles County Metropolitan Transportation Authority for \$1,462,000.
Resolution MFP-98-25**

This item was approved on the Consent Calendar.

2.6b. Financial Vote for Proposition 116 Program Projects

**2.6b.(1) One Local Rail Program Project for \$1,100,593
for Ventura County Transportation Commission.
Resolution BFP-98-26**

This item was approved on the Consent Calendar.

2.6b.(2) State Proposition 116 Rail Program Project

No Items This Month

- 2.6b.(3) Four Local Proposition 116 Non-Urban County Program Projects totaling \$354,654.
Resolution BFP-98-27

This item was approved on the Consent Calendar.

- 2.6b.(4) One Local Proposition 116 Competitive Bike Program Project for \$800,000 for the City of Oakland.
Resolution BFP-98-28

This item was approved on the Consent Calendar.

2.6c. Financial Vote for State/Local STIP Rail/Transit Projects

- 2.6c.(1) Financial Vote for Six Local STIP Rail/Transit Projects totaling \$14,883,000.
Resolution MFP-98-26

This item was approved on the Consent Calendar.

- 2.6c.(2) Financial Vote for One Local STIP Rail/Transit Project for \$500,000 for the Bay Area Rapid Transit District.
Resolution MFP-98-27

Deputy Director Robert Chung reviewed the project and recommended approval.

Commissioner Wolf moved to approve the project. Commissioner Hallisey seconded the motion which carried 6-0 (Commissioner Kozberg was absent).

- 2.6c.(3) Financial Vote for One Local STIP Rail/Transit Project for \$10,613,000 for the Sacramento Regional Transit District.
Resolution MFP-98-28

Deputy Director Robert Chung reviewed the project and the remaining issues to be resolved. He recommended approval of the allocation conditioned upon Sacramento Regional Transit District responding to the questions raised by Caltrans Right-of-Way prior to executing the fund transfer agreement.

Vice Chairman Reed moved to approve the staff recommendation. Commission Kellogg seconded the motion which carried 6-0 (Commissioner Kozberg was absent).

- 2.6d. Financial Vote for One Multiple-Program Funded Project including \$2,545,000 in Proposition 116 Bond Program funds and \$5,300,000 in STIP funds, totaling \$7,845,000.
Resolution MBFP-98-02

This item was approved on the Consent Calendar.

2.6e. Allocation Amendments

- 2.6e.(1) Los Angeles County Metropolitan Transportation Authority (LACMTA De-allocates a total of \$1,100,593 in cost savings from the Southern Pacific Rail Right of Way Acquisition and Moorpark Station Right of Way Acquisition project, originally approved for \$14,300,000, for a revised total of \$13,199,407.
Resolution BFA-98-11, Amending Resolution BFP-90-6**

This item was approved on the Consent Calendar.

- 2.6e.(2) County of Riverside and City of Chico - De-allocates \$20,345 in cost savings from the County of Riverside's Token Operated Bike Locker Network Project for \$155,000, for a revised total of \$134,655, and \$22,000 in cost savings from the City of Chico's Competitive Bikeways Projects for \$572,000, for a revised total of \$550,000, for a total cost savings of \$42,345. A portion of the cost savings is proposed to fund the Oakland Embarcadero Bay Trail Project (\$35,000). The remaining balance (\$7,345) will be reallocated at a later date. (Concurrent Project Approval Amendment under Item 2.1f. and Allocations under Items 2.5c.(2) and 2.6b.(4).)
Resolution BFA-99-12, Amending Resolutions BFP-93-30 and BFP-95-49**

This item was approved on the Consent Calendar.

- 2.6e.(3) Golden Gate Bridge, Highway and Transportation District - De-allocates a total of \$52,856 in cost savings from the Larkspur Ferry Intermodal Expansion project, originally approved for \$104,000, for a revised total of \$51,144.
Resolution MFA-98-01, Amending Resolution MFP-96-38**

This item was approved on the Consent Calendar.

- 2.6e.(4) Allocation Amendment to rescind Resolutions MFP-96-03 and MFP-96-17 (See related TCI Amendment under Item 2.1c.)
Resolution MFA-98-02, Rescinding Resolutions MFP-96-03 and MFP-96-17**
- **Resolution MFP-96-03 - County of Imperial – Rescind \$45,000 for the Valley Plaza Shopping Center project. Imperial County has indicated project is no longer viable.**
 - **Resolution MFP-96-17 - San Diego Metropolitan Transit Development Board (SDMTDB) – Rescind \$250,000 for the East Line Bridge Replacement Project. SDMTDB has indicated project was completed using prior allocations.**

This item was approved on the Consent Calendar.

- 2.6f. Allocation of up to \$965,175, remaining from the \$2,000,000 General Fund appropriation, to North Coast Railroad Authority (NCRA) for the following purposes:**

Resolution MFP-98-29

- up to \$380,000 for accounting/office administration purposes (for a cumulative total of \$800,000);
- up to \$84,000 for environmental issues (for a cumulative total of \$87,825);
- up to \$471,175 to pay creditors;
- up to \$30,000 to defend an environmental lawsuit filed against NCRA by California Departments of Fish and Game and Toxics Control, and North Coast Water Quality Control Board and to appeal FEMA's retroactive application of its landslide policy on NCRA landslide claims.

Deputy Director Robert Chung reviewed the allocations and issues raised by Senator Burton and recommended approval in accordance with Senator Burton's request.

Vice Chairman Reed moved to approve the amended staff recommendation. Commissioner Hallisey seconded the motion which carried 6-1 (Commission Wolf voted "no").

- 2.6g. Allocation of \$463,550 in Transit Capital Improvement Program funds programmed in FY 1996-97 and FY 1997-98 to the North Coast Railroad Authority (NCRA) for partial repayment toward the "Q" Fund loan.**
Resolution MFP-98-30

Chairman Sylvester asked for a motion to approve the allocation.

Commissioner Wolf moved to approve the allocation. Commissioner Kozberg seconded the motion which carried 7-0.

2.7 Aeronautics Financial Matters

- **Allocation of \$174,000 for FY 1998-99 California Aid to Airports Program (CAAP) funds for three projects from the 1998 Aeronautics Program.**
Resolution FDOA-99-3
 - **County of Trinity – Weaverville-Lonnie Pool Airport in Trinity County**
\$11,000 - Safety Area Obstruction Removal
 - **County of Trinity – Hayfork Airport in Trinity County**
\$113,000 - Slurry Seal Runway, Taxiway, Apron
 - **Cameron Park Airport District – Cameron Air Park Airport in El Dorado County**
\$50,000 - Slurry Seal Runway

This item was approved on the Consent Calendar.

2.8 Waiver of Commission Policy

- 2.8(1) Request for Waiver of CTC Resolution G-99-03, 1998 STIP Interim Guidelines Section 47 – Timely Use of Funds from the Department of Transportation (on behalf of the City of Colfax) to extend the period of project reimbursement for the Colfax Amtrak Station project from June 30, 1999 to June 30, 2000. The Commission allocated \$490,000 of Fiscal Year 1994-95 Transit Capital Improvement Program funds to the Department under MFP-94-33 on May 2, 1995. As of February 28, 1999, the Department has reimbursed \$35,096, leaving a balance of \$454,904.**

Warren Weber, Caltrans, reviewed the project and recommended approval of the waiver request.

Vice Chairman Reed moved to approve the waiver request. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Torres was absent).

- 2.8(2) Request for Waiver of CTC Resolution G-99-03, 1998 STIP Interim Guidelines Section 47 – Timely Use of Funds from the City of Fresno to extend the period of project reimbursement for the Fresno Amtrak Station Project from June 30, 1999 to June 30, 2000. The Commission allocated \$1,443,960 in Transit Capital Improvement (TCI) Program funds under MFP-95-51 on June 5, 1996, and \$2,521,592 in TCI Program funds under MFP-96-19 on September 18, 1996. As of February 28, 1999, no reimbursements have been made against these allocations.**

Warren Weber, Caltrans, reviewed the project and recommended approval of the waiver request.

Chairman Sylvester noted that a 12 month extension would not assure use of funds by June 2000 and recommended an 18 month extension.

Vice Chairman Reed moved to approve the waiver request with an 18 month extension. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Torres was absent).

- 2.8(3) Request for waiver of CTC Resolution G-99-03, 1998 STIP Interim Guidelines, Section 47 – Timely Use of Funds, from the Southern California Regional Rail Authority (SCRRA) to extend the period of project reimbursement for the Centralized Traffic Control Facility Relocation portion of the Los Angeles Terminal Tower Interlocking Improvements project, from June 30, 1999 to February 28, 2001. The Commission allocated \$8,000,000 in State Highway Account funds from Fiscal Year 1996-97 programmed in the 1996 STIP, under MFP-96-12 on August 28, 1996. As of February 28, 1999, the Department has reimbursed \$6,803,575 - leaving a balance of \$1,196,425.**

Warren Weber, Caltrans, reviewed the project and recommended approval of the waiver request.

Vice chairman Reed moved to approve the waiver request. Commissioner Kozberg seconded the motion which carried 6-0 (Commissioner Torres was absent).

2.8(4) Request for waiver of CTC Resolution G-99-03, 1998 Interim STIP Guidelines, Section 47 – Timely Use of Funds, for seven (or more) Transportation Enhancement Activities (TEA) Projects to extend the period of contract award for up to twenty months.

Marsha Mason, Caltrans reviewed the seven waiver requests and recommended approval.

Vice Chairman Reed moved to approve the waivers in accordance with the time as recommended by Caltrans. Commissioner Wolf seconded the motion which carried 7-0.

2.9 Technical Changes to Previously Approved Commission Actions/Resolutions

Correction to waiver request from the City of Oakland approved March 30, 1999 to extend the period of project reimbursement for the Frank Ogawa Plaza Transit Center. Correct error on extension date, from May 1, 2000 to December 31, 2000.

This item was approved on the Consent Calendar.

3. PROGRAM STATUS

3.1 Caltrans Monthly FY 1998-99 Finance Report

Joan Borucki, Caltrans, presented the monthly Finance Report, noting that the State Highway Account balance had gone up to \$1.9 billion, and local agencies were so far behind in delivering projects and using funds that by next fiscal year the state would have to start using local assistance funds on its own projects. Regional Moderator Therese McMillan explained reasons for lagging local project delivery, and noted air quality districts may object to using CMAQ funds for state highway projects.

The Commission asked Caltrans to return at the June meeting with options for timelier use of local assistance funds, linked to assumptions for the next fund estimate.

ACTION: J. Borucki

3.2 Monthly Report on Status of Projects Previously Voted but not Awarded

Jim Nicholas, Caltrans, reviewed the status of thirteen projects on the list, including three new ones.

4. POLICY MATTERS

4.1 State Legislative Matters

Deputy Director Oldham reviewed three bills: SB 928 (Burton), AB 1620 (Florez), and SB 1277 (Hoyden).

Commissioner Kellogg moved to oppose SB 1277 on the grounds that it is counter productive to the Governor's effort to invest in transportation infrastructure and is severely restrictive to rural agencies. Commissioner Hallisey seconded the motion which carried 7-0.

During the discussion of legislative matters, the Commission directed staff to:

- Work with bill author on SB 928 (Burton).
- Prepare letter to Assemblyman Florez transmitting letter to Senator Rainey regarding appropriation of funds from the State Highway Account for local street and road rehabilitation.
- Prepare a letter of opposition to Senator Hayden regarding SB 1277.

ACTION: C. Oldham

4.2 Presentation by Resources Agency of Project Evaluation for FY 1999-2000 Environmental Enhancement and Mitigation (EEM) Program

EEM Program Manager Rick Gumz reviewed the history of the EEM Program and explained that the Commission would be asked to adopt the Program at the July Commission meeting.

Resources Agency Assistant Secretary Don Wallace reviewed the list of projects for funding. He discussed the three categories of applications noting that 146 applications had been received this year, of which 18 applications did not qualify and 41 applications were recommended for funding.

4.3 Report on Issues on Draft Project Study Report (PSR) Guidelines

Debbie Mah, Caltrans, discussed the PSR Task Force activities and reported that the guidelines had been drafted and would be presented in June.

The Commission asked staff to:

- Develop a list of issues, both resolved and unresolved, regarding the PSR Guidelines and possibly issues that go beyond the guidelines.

ACTION: D. Mah/T. McMillan/D. Brewer

- Keep Legislative Staff advised of PSR guideline issues.

ACTION: D. Brewer/C. Oldham

4.4 Presentation on Century Freeway - History, Status, Outlook and Drainage Issues (See Related Item 2.5b.(4).)

Tony Harris, Caltrans, reported on the history, status, outlook, and drainage issues for the Century Freeway.

The Commission requested Caltrans to provide a monthly progress report on the drainage problem status and feasibility study.

ACTION: T. Harris

4.5 Adoption of SR 8 (Burton) Transportation Infrastructure Needs Assessment

Executive Director Remen reviewed the mandate for the SR 8 Report and the methodology used to collect the information. He noted that the unfunded need is staggering and reviewed the findings in the report.

After discussion of the report and the tremendous effort it took, the Commission directed staff to finalize the report and transmit it to the Legislature.

ACTION: R. Remen

4.6 Los Angeles County Metropolitan Transportation Authority (LACMTA) - Pasadena Blue Line Matters**4.6a. Approval of Memorandum of Understanding (MOU) between the Commission, Los Angeles County Metropolitan Transportation Authority, and Pasadena Blue Line Construction Authority (PMBLCA)**

Senator Polanco spoke in support of the MOU and findings that the PMBLCA has acted consistent with SB 1847 (Schiff).

Deputy Director Robert Chung noted that the Pasadena Authority had acted on the MOU but Los Angeles MTA was still considering approval of the MOU. He asked that this item be rescheduled to a future date. The Commission accepted the recommendation to delay action until both Pasadena and Los Angeles approved the MOU.

4.6b. Finding of Compliance with SB 1847 (Schiff, 1998)

Deputy Director Robert Chung reviewed the SB 1847 requirements and the finding that the Pasadena Construction Authority has acted in conformity with SB 1847.

The following individual submitted a green card and presented testimony to the Commission:

- Martin Hernandez, Labor Community Strategy Center

Chairman Sylvester noted that he had received a letter from Assemblyman Jack Scott in support of the finding of compliance.

Commissioner Torres moved to find that the Construction Authority has acted in conformance with SB 1847. Vice Chairman Reed seconded the motion which carried 7-0.

4.7 Status Report on Task Force Efforts to Improve Program Delivery

This item was pulled prior to the meeting and rescheduled for the June Commission meeting.

**4.8 Adoption of Annual Review of the Rate for Local Government Matching of California Aid to Airports Program (CAAP) Grants
Resolution G-99-13**

Chairman Sylvester asked for a motion to approve continuance of the 10% match.

Vice Chairman Reed moved to approve the 10% match requirement. Commissioner Wolf seconded the motion which carried 6-0 (Commissioner Torres was absent).

**4.9 Policy Resolution to Authorize the Establishment of a Trust-Escrow Account within State Treasury System for "Q" Fund Repayment by North Coast Railroad Authority
Resolution G-99-14**

Joan Borucki, Caltrans, reviewed the history of the Q fund repayment and the establishment of an account with the State Treasurer to better account for the Q Fund repayment.

The Commissioners discussed the trust/escrow account. The Commission reminded NCRA of its commitment to contribute the net proceeds it received from the sale of real estate to Caltrans as part of the Cloverdale Bypass project and from the sale of two of its depots to the trust/escrow account. Commissioner Wolf moved to establish the trust/escrow account with the stipulation that the MOU include a provision that the affected counties, through their regional improvement programs, guarantee coverage of any NCRA shortfalls to the Q fund trust account.

Commissioner Kozberg seconded the motion which carried 7-0.

5. MODAL ISSUES

5.1 Rail

No Items This Month

5.2 Highways

No Items This Month

6. OTHER MATTERS

There being no further business, the meeting adjourned at 1:50 p.m.

Robert I. Remen, Executive Director